

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOSHUA YARBROUGH, ET AL.	§	
	§	
v.	§	CIVIL NO. 4:19-CV-905-SDJ
	§	
CSS CORP., ET AL.	§	

ORDER


Before the Court is Plaintiffs' Motion in Limine. (Dkt. #71). Defendants CSS Corp. and Glow Networks, Inc. did not respond to the motion. Having reviewed the motion, the Court finds that it should be **GRANTED**.

In their motion in limine, Plaintiffs seek to exclude any reference to abandoned claims or dismissal of claims or parties. Although the certificate of conference attached to the motion in limine is unclear, the Court infers from Defendants' failure to respond that the motion is unopposed. Courts in the Fifth Circuit have granted similar motions in limine. *See, e.g., Mason v. Faul*, No. 12-2939, 2018 WL 1371490, at *1 (W.D. La. Feb. 8, 2018). Further, the Court agrees that it is appropriate to order all parties, attorneys, and witnesses to approach the Court out of the presence of the jury panel or jury before making any reference to abandoned claims or dismissal of claims or parties.

It is therefore **ORDERED** that Plaintiffs' Motion in Limine, (Dkt. #71), is **GRANTED**. It is further **ORDERED** that all parties, attorneys, and witnesses shall refrain from referring, directly or indirectly, in any manner whatsoever, in the presence of the jury panel or the jury finally selected to try this case, to abandoned claims or the dismissal of claims or parties without first approaching the Court out

of the presence of the jury or jury panel, so that the Court may determine the admissibility or relevance of such matters before they are injected into the case in the presence of the jury or jury panel.

So ORDERED and SIGNED this 4th day of February, 2022.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE